

***NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA***

**NO. 417-53803-2020**

**IN THE INTEREST OF**

**S.L., J.L., AND L.L.,**

**CHILDREN**

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**IN THE DISTRICT COURT**

**417TH JUDICIAL DISTRICT**

**COLLIN COUNTY, TEXAS**

**PETITIONER'S MOTION TO MODIFY TEMPORARY ORDERS**

Michael Long, Petitioner, files this *Motion to Modify Temporary Orders* entered by this Court on August 20, 2020.

1. Michael Long requests the Court, after notice and hearing, to render an appropriate order modifying the Temporary Orders as follows:

2. Michael Long asserts that the temporary conservatorship ordered by this Court in its Temporary Orders entered on August 20, 2020 is not in the best interest of the children and should be modified. The order is necessary because the children's present circumstances with Respondent/Mother would significantly impair the children's physical health and/or emotional development. In support, Petitioner/Father incorporates herein by reference, verbatim, the Affidavit of Kourtney Chalmers attached to the *Petition to Modify Parent-Child Relationship* filed in this matter on July 28, 2020. Petitioner/Father asks the Court to take judicial notice of the file, to include said affidavit.

3. The child S.L. has made multiple credible and consistent outcries of sexual abuse by Respondent/Mother and Respondent/Mother's fiancé, Jacob Bellington. On information and belief, criminal investigation of these matters is ongoing, as is investigation by the Department of Family and Protective Services (commonly known as "CPS").

4. On information and belief, Respondent/Mother has a history or pattern of failure to be protective of the children.

5. It is in the best interest of the children that Petitioner/Father Michael Long be appointed the temporary sole managing conservator of the children, and Respondent/Mother Kelly Long be appointed the temporary possessory conservator. In the alternative, Petitioner/Father should be designated as the conservator with the exclusive right to designate the primary residence of the children.

6. Respondent/Mother Kelly Long's rights as to the children should be further restricted, and Respondent/Mother should be stripped of the following rights:

- a) The right of access to medical, dental, psychological, and educational records of the children.
- b) The right to consult with a physician, dentist, or psychologist of the children.
- c) The right to consult with school officials concerning the child's welfare and educational status, including school activities.
- d) The right to attend school activities, including school lunches, field trips, and performances.
- e) The right to be designated on the children's records as person to be notified in case of emergency.
- f) The right to consent to medical, dental, and surgical treatment during an emergency involving an immediate danger to the health and safety of the children.
- g) The right to consent to medical and dental care not involving an invasive procedure.

7. Due to a change in circumstances, the child possession and access arrangements granted by this Court's Temporary Orders dated August 20, 2020 have become unworkable and inappropriate, and Michael Long requests that the Court modify its Temporary Orders to better serve the children's best interests. The order is necessary because the children's present circumstances with

Respondent/Mother would significantly impair the children's physical health and/or emotional development.

8. Respondent/Mother should be denied all possession of or access to the children. In the alternative, Respondent/Mother's periods of possession of and access to the children should be continuously supervised at Respondent/Mother's sole cost and expense.

9. The child support provided in the Temporary Orders of August 20, 2020 should be modified to reflect that the children will reside primarily with Petitioner/Father. Petitioner/Father asks this Court to order that Respondent/Mother make periodic payments to Petitioner/Father for the support of the children, consistent with the guidelines of the Texas Family Code.

Michael Long requests that this Court grant relief requested in this *Motion to Modify Temporary Orders*, and for all other and further relief to which he may be entitled at law or in equity.

Respectfully submitted,

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### Certificate of Service

This is to certify that, pursuant to Rule 21 of the Texas Rules of Civil Procedure, a true and correct copy of the foregoing document has been served upon the below-named individual in the following manner as prescribed by Rule 21(a) of the Texas Rules of Civil Procedure on this the 6<sup>th</sup> day of September, 2020.

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Attorney for Respondent, **KELLY LONG**

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Associated Case Party: Michael Long

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Associated Case Party: Kelly Long

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